

REMARKS/ARGUMENTS

The above-referenced application has been reviewed in light of the Examiner's Office Action dated June 8, 2005 (hereafter "the instant Office Action"); and additionally in light of the prior Examiner's Office Action dated October 6, 2004 (hereafter "the prior Office Action"). Claims 1-20 have been rejected by the Examiner in the instant Office Action. Claims 1-20 are currently pending in this application. Claims 1, 11, and 19 have been amended only to address 35 U.S.C. 112 indefiniteness issues identified by the Examiner in the instant Office Action, and not in attempt to narrow the claims to overcome prior art cited. In view of the amendments and the following remarks, the Examiner's reconsideration of the objections and rejections is respectfully requested.

In the instant Office Action, the Examiner states that the Applicants' arguments made in the previous Office Action response (dated January 6, 2005) were considered, but not deemed persuasive because 'intra-decoder' is not recited in all the claims as alleged on page 7 last paragraph, and the prior art of record does not limit intra-decoder processing exclusively to non-feedback processing. Applicants traverse and respectfully request the Examiner to reconsider the rejection.

In the prior Office Action §§3-4 (in which the actual rejection held by the instant Office Action is laid out), the Examiner has rejected claims 1-7, 10-17, and 19-20 under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,487,692 to Morelos-Zaragoza (hereafter "Morelos"). The Examiner maintains that Morelos teaches each limitation of independent claims 1, 11, and 19, including the limitation that "... *at least one of the four blocks is adapted to transmit an inactivity message to the other ones of said at least four blocks. See also column 2, line 48 - column 3, line 6.*" Applicants respectfully disagree.

The instant invention (as claimed in claim 1, 11, and 19; and described in the specification - see pages 14-18 and corresponding figures 6-8) is designed to allow for **intra-decoder inactivity messaging** between one or more of the functional blocks that comprise an error detecting and/or correcting decoder. Claims 11 and 19 use the exact phrase "intra-decoder inactivity messaging", while claim 1 uses the phrase "... to transmit an inactivity message to other ones of said

at least four blocks" which explicitly describes intra-decoder inactivity messaging. To the extent that Examiner believes that the later phrase is not equivalent to "intra-decoder inactivity messaging", Applicants assert that any arguments made here as to why the prior art of record does not anticipate or make obvious the claimed invention in claims 11 and 19 apply equally to claim 1 in which the alternate language is used. Furthermore, even if the Examiner believes that Applicants argument does not apply to claim 1 because alternate language is used to describe "intra-decoder inactivity messaging", Applicants are at a loss as to why claims 11 and 19, which do list precisely the argued limitation of use of a "intra-decoder inactivity message", were not allowed. Furthermore, the Applicants are also at a loss as to the meaning of the Examiner's statement that "the prior art of record does not limit intra-decoder processing exclusively to non-feedback processing." Assuming arguendo that the Examiner is correct, and that the prior art of record doesn't limit intra-decoder processing to non-feedback processing, this has nothing to do at all with the claimed element of intra-decoding inactivity messaging. Intra-decoder processing is performed in any decoder. The words mean nothing other than error correcting processing performed within the decoder. The Applicants have disclosed and claimed intra-decoder **inactivity messaging**, something not disclosed or suggested in the prior art of record (including the newly found Boyer reference (US Patent No. 6,347,389, hereinafter "Boyer") cited by the Examiner.

Since the instant Office Action refers to the rejection made in the prior Office Action without reciting it anew in the instant Office Action, the Applicants reassert their same arguments as to why the claims are allowable, repeated here below for your convenience.

Prior art decoders use the decoder's functional blocks to form a delivery pipeline (that is, only one codeword at a time may be processed, since there is no communication between the blocks regarding functional status), therefore the next codeword to be processed isn't begun until the processing of the previous codeword is complete. One of the benefits that may be derived from using the method and device described and claimed in the instant application and which forms the basis of the present invention, is that intra-decoder inactivity messaging allows for more than one codeword to be processed concurrently.

In contradistinction to the present invention, there is no disclosure, teaching, or even implication contained in Morelos for intra-decoder messaging. Morelos discloses a decoder capable of correcting up to only two symbol errors (vice three or more symbol errors common for an extended RS (128,122,7) code) which Morelos identifies as an advantage since correcting up to only two symbol errors is sufficient in certain environments (specifically, Morelos indicates in a cable modem environment), resulting in comparable or near-comparable error performance.

Applicants assert that the portion of Morelos which the Examiner has identified as disclosing "intra-coder inactivity messaging" (column 2, line 48 - column 3, line 6) discloses no messaging scheme whatsoever. Applicants believe that it is possible that the Examiner has mistaken the wording in Morelos that "... the decoder 200 is capable of correcting two symbol errors in a codeword ...(column 2, lines 51-52)" for the proposition that multiple codewords may be processed concurrently by the decoder. Such an interpretation is clearly incorrect.

Morelos simply refers to the number of errors that can be corrected in a codeword, beyond which the codeword is uncorrectable. This is not to be confused with a possible advantage that the present invention provides, which is the processing of multiple codewords by the decoder concurrently. Applicants additionally wish to point out that even were Morelos to identify the ability to process multiple codewords concurrently (one *possible advantage* of the present invention), there is no teaching or suggestion that delivering such an advantage is the result of intra-decoder messaging (which is a *claimed element* of the present invention).

Furthermore, Applicants have carefully examined the figures and text of the entire Morelos reference and has discovered no disclosure or suggestion anywhere within Morelos for the use of an intra-decoder inactivity messaging scheme. (The same is true with respect to the newly found Boyer reference).

Therefore, Applicants assert that the Examiner has not constructed a *prima facie* case of anticipation for claims 1, 11, and 19; and therefore that the claims are allowable. Applicants respectfully request the Examiner to reconsider the rejection of claims 1, 11, and 19.

CUSTOMER NO.: 24498
Serial No.: 10/055,114
Office Action dated: June 8, 2005
Response dated: June 17, 2005

PATENT
PU020002

Since claims 2-10 depend directly from and include each of the limitations of claim 1, Applicants submit that claims 2-10 are also allowable.

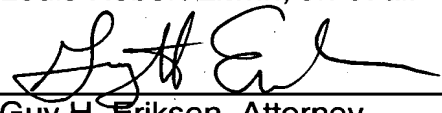
Since claims 12-18 depend directly from and include each of the limitations of claim 11, Applicants submit that claims 12-18 are also allowable.

Since claim 20 depends directly from and includes each of the limitations of claim 19, Applicants submit that claim 20 is also allowable.

Having fully addressed the Examiner's objections and rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6807, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
Louis Robert Litwin, Jr. et al.


By: Guy H. Eriksen, Attorney
Reg. No. 41,736
Phone (609) 734-6807

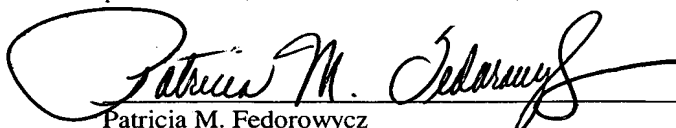
Patent Operations
Thomson Licensing Inc.
P.O. Box 5312
Princeton, New Jersey 08543-5312

June 17, 2005

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

June 17, 2005
Date


Patricia M. Fedorowycz